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MEMO ENDORSED

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September 30, 2008

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OCT - 1 2008

BY HAND

Judge Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street, Room 1310
New York, New York 10007

**Re: Pfizer Inc, Robert Jarvik, M.D. and Jarvik Heart, Inc. v.
Mathew I. Gelfand, M.D., 08-Civ-2018 (LAK) (JCF)**

Dear Judge Kaplan:

This is to inform the Court that the parties in the above-referenced case have reached a settlement agreement. We will be submitting a stipulation of dismissal as soon as all the signatures have been obtained.

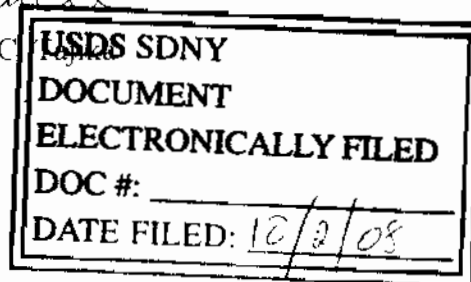
Respectfully,

Mioko C. Tajika

Mioko C. Tajika

Enc.

cc: Mitchell J. Rothert, Esq.



Case dismissed
with prejudice
on or before
consent of

SO ORDERED

Lewis A. Kaplan

10/2/08

Costs of costs subject to
the Court's order to that effect,
if the settlement is not

SO ORDERED

Lewis A. Kaplan
U.S.D.J.